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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,
Plaintiff,
v.
Santiago Luevanos Solis,
Defendant

No. CR-17-01243-PHX-DGC

DETENTION ORDER

On September 19, 2019, Santiago Luevanos Solis (the “Defendant”) appeared before this Court on a Petition to Revoke Conditions of Release and submitted the issue to the Court. The Court considered the information provided to the Court in determining whether the Defendant should be released on conditions set by the Court.

The Court makes the following findings under 18 U.S.C. § 3148(b)(1):

- There is probable cause to believe that the Defendant has committed a Federal, State, or local crime while on release.
 - There is clear and convincing evidence that the Defendant has violated the conditions of release.

The Court makes the following findings under 18 U.S.C. § 3148(b)(2):

- Rebuttable Presumption where Probable Cause to Believe Felony Committed on Pretrial Release. The Defendant has failed to rebut the presumption that no condition or combination of conditions will assure that the Defendant will not pose a danger to the safety of any other person or the community. *See* 18 U.S.C. § 3148(b)(2) (providing that

1 rebuttable presumption of dangerousness applies if there is probable
2 cause to believe that while on release a defendant has committed a
3 Federal, State, or local felony).

- 4 Flight Risk. After considering the factors set forth in 18 U.S.C. §
5 3142(g), the Court finds by a preponderance of the evidence that there
6 is no condition or combination of conditions of release that will assure
7 that the Defendant will not flee. *See* 18 U.S.C. § 3148(b)(2)(A); *U.S.*
8 *v. Gotti*, 794 F.2d 773, 778 (2nd Cir. 1986) (holding that “findings
9 made under section 3148(b) may be established by a preponderance of
the evidence”).
- 10 Dangerousness. After considering the factors set forth in 18 U.S.C. §
11 3142(g), the Court finds by a preponderance of the evidence that there
12 is no condition or combination of conditions of release that will assure
13 that the Defendant will not pose a danger to the safety of any other
14 person or the community. *See* 18 U.S.C. § 3148(b)(2)(A); *Gotti*, 794
15 F.2d at 778.
- 16 Compliance with Conditions. The Court finds by a preponderance of
17 the evidence that the Defendant is unlikely to abide by any condition or
18 combination of conditions of release. *See* 18 U.S.C. § 3148(b)(2)(B);
19 *Gotti*, 794 F.2d at 778.

20 **IT IS THEREFORE ORDERED** that the Defendant be detained pending further
21 proceedings.

22 Dated this 19th day of September, 2019.

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25 Honorable Eileen S. Willett
26 United States Magistrate Judge
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